

March 4, 2010



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Dear Friend,

Last week, I voted for legislation to repeal the antitrust exemption for the health insurance industry. It is my deeply held belief that health care reform should be based upon the principle of more competition rather than more government.

As we enter the 90 day period before an election, the communication I can send you is more strictly limited under election laws. If you wish to continue to receive these updates from me, you must subscribe to the e-newsletter. You can do so by answering the survey below or by clicking the "E-mail Updates" box in the toolbar on the right.

At the same time, if we are to accomplish that objective, we must ensure that our legislative action does not have unintended consequences. It was for that reason I offered an amendment during our consideration of the legislation in Committee that would have allowed the sharing of historical data by insurance companies to assess risks in order to more accurately price their products. This is most important to smaller companies which do not have a sufficient amount of data to conduct such an assessment. The non-partisan Congressional Research Service has reported that without such information it is possible that the insurance industry might become more concentrated with fewer small companies. My amendment was unanimously accepted by the Judiciary Committee. Furthermore, the language in my amendment was supported by the American Bar Association as a necessary component of the bill.

At a time when the American people are increasingly skeptical over whether Washington can accomplish anything relevant to their lives, my amendment represented a bipartisan consensus on how best to achieve meaningful reform of health insurance regulation. In fact, my amendment reflected language from legislation introduced by former Democratic Chairman of the House Judiciary Committee Jack Brooks in the 101st, 102nd and 103rd Congresses.

Unfortunately, at the last minute, just before this legislation came to the

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Unfortunately, at the last minute, just before this legislation came to the House floor, the House Leadership inexplicably struck my amendment from the bill. I would also mention that they removed language from the bill which would have repealed the antitrust exemption for medical malpractice insurance companies. In response to this action, I testified before the House Rules Committee seeking to offer my amendment to protect smaller companies and to apply the antitrust laws to medical malpractice companies. I was denied the right to offer an amendment to the legislation (H.R. 4626) on the House floor.

Let me be clear. I support the repeal of the protection for the health insurance industry under the antitrust laws and voted in favor of H.R. 4626 on final passage. However, I am deeply disappointed that the last minute maneuvering by the House Leadership weakened the bill and its likely effectiveness. Those of us on the House Judiciary Committee who worked to translate all of the talk about bipartisanship into actions were "cut off at the pass" by this action. I believe this is no way to do business and another example of why there is growing public skepticism concerning an increasingly dysfunctional government.

Please visit my [YouTube](#) page to see some of the debate on the House floor regarding H.R. 4626.

Sincerely,



Daniel E. Lungren
Member of Congress

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- ☐ Yes
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Any additional comments?

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